

used. Babbitt addressed both of these focal elements of the Eckstein discussion in his prepared statement for the committee:

Mr. Eckstein then asked to meet with me. Against my better judgment, I acceded to that requests [sic]. When he persistently pressed for a delay in the decision, I sought to terminate the meeting. *I don't recall exactly what was said*, but on reflection, *I probably said* that Mr. Ickes, the Department's point of contact on many Interior matters, wanted the Department or expected the Department to decide the matter promptly. *If I said that*, it was an awkward effort to terminate an uncomfortable meeting on a personally sympathetic note, but as I have said here today, I had no such communication with Mr. Ickes or anyone else from the White House.⁷⁹⁰

Babbitt conceded that he could not recall exactly what he said about Ickes, yet in the course of responding to questions from the Senators, Babbitt repeated his disagreements with Eckstein on the two key parts of the conversation:

Chairman Thompson: . . . Did you not say that in your testimony earlier that you told Mr. Eckstein that Mr. Ickes wanted you to issue a decision?

Secretary Babbitt: I told - to the best of my recollection, I said something to Mr. Eckstein to the effect that Mr. Ickes expected or wanted a decision.⁷⁹¹

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Chairman Thompson: All right. Could you have said that Mr. Ickes wanted you to make the decision that very day?

⁷⁸⁹(...continued)

in the passive voice – allowed for the possibility that Ickes had not actually called or even given any specific instructions. In Babbitt's estimation, such a statement, although it would have misled Eckstein about the reasons for denying his requested delay, would not have been an outright lie. Babbitt recalled that he would not have used such words as "told" or "instructed" because such words would falsely convey that Ickes had called, when he had not.

⁷⁹⁰Babbitt Senate Test. at 239 (emphasis added).

⁷⁹¹*Id.* at 245.